

Capitol Report
February 27, 2004

Senator Gibbons Files Bill Cracking Down on Child Pornography

Senator Gibbons on Friday filed Senate Bill 1307, intensifying the penalties connecting to the possession of child pornography.

“This exploitation of our children is disturbing, and we need to fight against it,” Gibbons said. “While it seems improbable to eliminate child pornography completely, this bill will work directly against those who further the practices of child pornography.”

The bill defines child pornography and what constitutes possession of such material. According to the current language, a person would be considered to have knowledge of the material’s content if they have more than 20 items of child pornography.

If an individual is found to be in possession of child pornography under 20 items would still be a Class C felony. If they are found with over 20 items, the charge would become a Class B felony.

According to the measure, those persons who believe they have child pornography have an affirmative defense only if they immediately take steps to destroy the material, promptly report the matter to law enforcement, and do not show the material to anyone besides members of law enforcement.

“This bill will restrict the circulation of whatever material may be out there,” Gibbons said. “Also, it will impel people to go straight to the authorities if they feel they may have such material in their possession. This way, it will not sit out there and be transferred around the Internet.”

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